

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|----------------------------------|---|-------------------------|
| CARDINAL HEALTH 110, Inc., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 07-389 |
| |) | |
| KUZY'S DRUG STORE, INC., |) | Chief Judge Ambrose |
| ANDREW F. KUZY, COLLEEN A. KUZY, |) | Magistrate Judge Hay |
| THE HARVARD DRUG GROUP, LLC, |) | |
| |) | |
| Defendants. |) | |

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|------------------------------|---|
| THE HARVARD DRUG GROUP, LLC, |) |
| |) |
| Cross-Claimant, |) |
| |) |
| v. |) |
| |) |
| KUZY'S DRUG STORE, INC., |) |
| ANDREW F. KUZY, |) |
| |) |
| Cross-Defendants. |) |

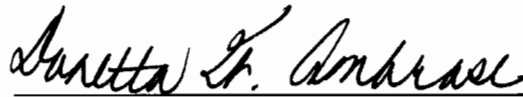
ORDER

AND NOW, this 4th day of Feb. ~~January~~, 2008, after the Plaintiff, Cardinal Health 110, Inc., filed an action in the above-captioned case, and after Defendant The Harvard Drug Group, LLC, filed Cross-Claims against Defendants Kuzy's Drug Store, Inc. and Andrew F. Kuzy ("the Kuzy Defendants"), and after the Kuzy Defendants filed a Motion to Dismiss the Cross-Claims, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until January 24, 2008, to file written objections thereto, and upon consideration of the objections filed by the Kuzy Defendants, and upon independent review of

the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Cross-Defendants' Motion to Dismiss Cross-Claims (Doc. 21) filed by Cross-Claimant Harvard Drug Group, LLC, be DENIED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party desires to appeal from this Order, they do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.



DONETTA W. AMBROSE
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

All Counsel of Record by electronic filing